

Senate Resolution 614

By: Senators Thompson of the 5th, Lucas of the 26th, Orrock of the 36th, Davenport of the 44th, Harbison of the 15th and others

## A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Georgia so as to authorize the  
 2 General Assembly to provide by law for the legalization and regulation of marijuana; to  
 3 permit persons 21 years of age or older to purchase limited amounts of marijuana for  
 4 personal use; to provide that the fees and tax proceeds from the sale of such marijuana be  
 5 dedicated equally between education and transportation infrastructure purposes; to provide  
 6 for tax exemption of marijuana used for medical purposes; to provide that such funds shall  
 7 not lapse; to provide for submission of this amendment for ratification or rejection; and for  
 8 other purposes.

9 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

10

### SECTION 1.

11 Article III, Section IX, Paragraph VI of the Constitution is amended by redesignating the  
 12 second subparagraph (o) as subparagraph (p) and by adding a new subparagraph to read as  
 13 follows:

14 "(q) The General Assembly shall provide by law for the legalization and regulation of  
 15 the production and sale of marijuana for personal use by individuals 21 years of age or  
 16 older and for any matters relating to the purposes or provisions of this subparagraph.  
 17 Proceeds derived from fees and taxation of the production and sale of marijuana shall be  
 18 used to pay for the operating expenses of the state's regulation and administration of such  
 19 production and sale of marijuana. Net proceeds after payment of such operating expenses  
 20 shall be separately accounted for and shall be specifically identified by the Governor in the  
 21 annual budget presented to the General Assembly as a separate budget category entitled  
 22 'Marijuana Proceeds,' and the Governor shall make specific recommendations as to the  
 23 educational programs and purposes and capital outlay projects for transportation  
 24 infrastructure purposes to which such net proceeds shall be equally appropriated. In the  
 25 General Appropriations Act adopted by the General Assembly, the General Assembly shall  
 26 appropriate all net proceeds of the marijuana fees and taxes by such separate budget  
 27 category to support improvements and enhancements for educational programs and

28 purposes and capital outlay projects for transportation infrastructure purposes. Such net  
 29 proceeds shall be used equally to support improvements and enhancements for educational  
 30 programs and purposes and to support improvements for capital outlay projects for  
 31 transportation infrastructure purposes; and such net proceeds shall be used to supplement,  
 32 not supplant, nonmarijuana resources for educational programs and purposes and for  
 33 capital outlay projects for transportation infrastructure purposes. Marijuana used in the  
 34 production of medical marijuana and any product which is sold utilizing such marijuana  
 35 that qualifies for medical use shall be exempt from taxation by this state or by any county,  
 36 municipality, authority, or political subdivision of this state. Such appropriated amount  
 37 shall not lapse as required by Article III, Section IX, Paragraph IV(c)."

38

## SECTION 2.

39 The above proposed amendment to the Constitution shall be published and submitted as  
 40 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
 41 above proposed amendment shall have written or printed thereon the following:

42 "( ) YES Shall the Constitution of Georgia be amended so as to authorize the General  
 43 Assembly to provide by general law for the legalization and regulation of the  
 44 ( ) NO production and sale of marijuana for personal use by individuals 21 years of  
 45 age or older and further provide that the taxes from such production and sale  
 46 shall be appropriated equally between educational programs and purposes  
 47 and capital outlay projects for transportation infrastructure purposes within  
 48 this state and exempt from taxation marijuana used for medical purposes?"

49 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."  
 50 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
 51 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
 52 become a part of the Constitution of this state.